

Record on Appeal – Tab 5

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7
8 **UNITED STATES BANKRUPTCY COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 In re: ACAYA , Leticia

Case No: 06-51741 MM
Chapter 13

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12 **NOTICE OF HEARING ON**
13 **OBJECTION TO CONFIRMATION OF**
14 **PLAN BY CREDITOR WELLS FARGO**
15 **FINANCIAL**

16 Debtor(s).

17 Date: February 16, 2007
Time: 10:00 A.M.
Judge: Honorable Marilyn Morgan
Place: U.S. Bankruptcy Court
The Quadrangle, Room 214
1000 S. Main Street, Salinas, CA

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19 **NOTICE IS HEREBY GIVEN** that on February 16, 2007, at 10:00 A.M. in the U.S.
20 Bankruptcy Court at The Quadrangle, Room 214, 1000 S. Main Street, Salinas, California, Debtor
21 Leticia Acaya, by her attorney Trevor R. Mirkes of The Law Offices Of Rodney M. Kleman, will
22 and does hereby move the Court for an Order Overruling the Objection to Confirmation of Plan filed
23 by Wells Fargo Financial.

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1 Debtor seeks a determination by the Court that Wells Fargo Financial is not entitled to the
2 contract balance owed for Debtor's vehicle under the Bankruptcy Code and applicable state law due
3 to the inclusion of antecedent debt in the purchase contract.

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5 Date: January 26, 2007

/s/ Trevor R. Mirkes #224261
TREVOR R. MIRKES